

Application No. 10/669,903

### REMARKS

In the most recent Office Action, claim 1 (with its dependent claims 2-9) has been rejected under 35 USC 112. In the above Amendment to claim 1, it is now stated that the first flat member and the second flat member are "movable relative to each other to release a sheet disposed in the path;" and that there is a hinge "to effect moving of the first flat member relative to the second flat member." The recited structure is supported by Paragraph 0015 in the disclosure. In any practical embodiment, what is important is that the first flat member and the second flat member are merely movable relative to each other, and which flat member moves away from which is immaterial. The Amendment is believed to overcome the objection to claim 1 as filed.

Claim 8 has been rejected for reciting "insufficient structure ... to understand what causes an edge of the sheet to be inclined away from the hinge." The limitations of claim 8 as filed have been incorporated in claim 1 as amended. Claim 1 as amended recites that "a sheet released from the path drops to the bottom structure **and contacts the bottom structure** so that an edge of the sheet is inclined away from the hinge" (emphasis added). In the embodiment of Figure 3 and Paragraph 0016 as filed, a sheet S which has been released from the path has a bottom edge which contacts the inclined ramp 16, and the resulting inclination of the bottom edge causes a top corner of the sheet S to tip away from the hinges 30. Besides the inclined ramp 16, other types of "bottom structure" having the recited effect can be contemplated within the scope of the claims, such as the tipping member shown in Figure 4 as filed. The Amendment is believed to overcome the objection.

The Examiner has indicated that claim 8 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims, as well as overcoming the 112 rejection. In the above Amendment, claim 1 has been rewritten to include the limitations of claims 7 and 8, and to overcome the 112 rejections as noted above. Claim 1 is now in condition for allowance, as are its dependent claims.

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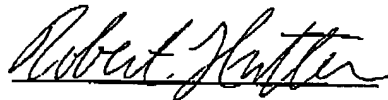
Further, new claims 10-12 have been added. Claim 10 is supported by photoreceptor 112 in Figure 1 as filed. Claims 11-12 are supported at Paragraph 10 as filed. Claims 10-12 are deemed allowable as being dependent from claim 1 as amended.

The claims are therefore in condition for allowance.

No additional fee is believed to be required for this amendment; however, the undersigned Xerox Corporation attorney authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby requested to call the undersigned attorney at (585) 423-3811, Rochester, NY.

Respectfully submitted,



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